

Notice of Allowability

Application No.

09/828,308

Examiner

William P. Fletcher III

Applicant(s)

HOOKER, MICHAEL A.

Art Unit

1762

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to applicant's amendment after-final filed 3/12/2004.
2. ☒ The allowed claim(s) is/are 1-22 and 38-61.
3. ☒ The drawings filed on 06 April 2001 are accepted by the Examiner.
4. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) ☐ All b) ☐ Some* c) ☐ None of the:
 1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

5. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
 6. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
 - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
 - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
 - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
7. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

1. ☐ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftperson's Patent Drawing Review (PTO-948)
3. ☒ Information Disclosure Statements (PTO-1449 or PTO/SB/08), Paper No./Mail Date 12/16/2003
4. ☐ Examiner's Comment Regarding Requirement for Deposit of Biological Material
5. ☐ Notice of Informal Patent Application (PTO-152)
6. ☐ Interview Summary (PTO-413), Paper No./Mail Date _____.
7. ☐ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other _____.

WPF 3/12/2004
William Phillip Fletcher III
Patent Examiner
USPTO
GAU 1762

EXAMINER'S AMENDMENT

1. An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with Jeffrey S. Kapteyn (Reg. No. 41,883) on 3/22/2004.

The application has been amended as follows:

Claim 1 (currently amended) A method of forming a protective coating upon a polymer substrate that softens when heated, the method comprising:

printing upon the substrate a plurality of dots with spaces of exposed substrate therebetween;

curing the plurality of dots to harden the plurality of dots into a protective coating, wherein spaces between the dots permit flexibility of the substrate without damage to the plurality of dots;

after curing the plurality of dots, heating the substrate to a temperature at which the substrate softens sufficiently to permit forming thereof; and

forming the substrate in a molding machine after curing the plurality of dots.

Claim 38 (currently amended) A method of manufacturing a product having a protective coating, the method comprising:

Art Unit: 1762

printing a plurality of dots upon a polymer substrate of the type that softens when heated, the plurality of dots having spaces therebetween;

curing the plurality of dots into a hardened protective coating on the substrate;

after curing the plurality of dots, heating the substrate to a temperature at which the substrate softens sufficiently to permit forming thereof;

forming the substrate to a desired shape of the product in a molding machine after curing the plurality of dots; and

flexing the hardened protective coating by the spaces between the dots while forming the substrate in a molding machine.

2. Claims 1-22 and 38-61 are allowed.

3. The following is an examiner's statement of reasons for allowance: Claims 1 and 38 clearly distinguish over the closest prior art, as applied in the rejections set-forth in the Office action mailed 1/18/2004, which teaches flexible stretch fabric. Further, the above examiner's amendment further distinguishes the coated, polymeric substrate over those disclosed in the references submitted 12/16/2003, which neither teach nor suggest heating and forming after curing the plurality of dots.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

e

Art Unit: 1762

Any inquiry concerning this communication or earlier communications from the examiner should be directed to William P. Fletcher III whose telephone number is (571) 272-1419. The examiner can normally be reached on Monday through Friday, 9 AM to 5 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Shrive P. Beck can be reached on (571) 272-1415. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

WPF 3/22/2004

William P. Fletcher III
Examiner
Art Unit 1762

B. Chen

BRET CHEN
PRIMARY EXAMINER